

**Senate File 450 - Introduced**

SENATE FILE 450  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 312)

**A BILL FOR**

1 An Act relating to human trafficking and including a penalty  
2 provision.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 80B.11, subsection 1, paragraph c, Code  
2 2015, is amended by adding the following new subparagraph:  
3 NEW SUBPARAGRAPH. (4) In-service training under this  
4 paragraph "c" shall include the requirement that all law  
5 enforcement officers complete four hours of in-service training  
6 every five years related to domestic assault, sexual assault,  
7 human trafficking, stalking, and harassment. Such in-service  
8 training shall be approved by the academy in consultation  
9 with the Iowa coalition against sexual assault and the Iowa  
10 coalition against domestic violence.

11 Sec. 2. NEW SECTION. **692.23 Human trafficking information.**  
12 The division of criminal and juvenile justice planning  
13 of the department of human rights shall collect and maintain  
14 criminal history data on incidents related to human trafficking  
15 in this state, and shall submit an annual report to the general  
16 assembly concerning the collected data. For purposes of this  
17 section, "*incidents related to human trafficking*" means criminal  
18 violations of section 710.5, 710.11, or 710A.2, section 725.1,  
19 subsection 2, or section 725.2 or 725.3, or violations of  
20 section 710.2, 710.3, or 710.4 if the victim was forced to  
21 provide labor or services or participate in commercial sexual  
22 activity.

23 Sec. 3. Section 702.11, subsection 1, Code 2015, is amended  
24 to read as follows:

25 1. A "*forcible felony*" is any felonious child endangerment,  
26 assault, murder, sexual abuse, kidnapping, robbery, arson in  
27 the first degree, ~~or~~ burglary in the first degree, or human  
28 trafficking.

29 Sec. 4. NEW SECTION. **710A.6 Outreach, public awareness, and**  
30 **training programs.**

31 The crime victim assistance division of the department of  
32 justice, in cooperation with other governmental agencies and  
33 nongovernmental or community organizations, shall develop and  
34 conduct outreach, public awareness, and training programs for  
35 the general public, law enforcement agencies, first responders,

1 potential victims, and persons conducting or regularly dealing  
2 with businesses or other ventures that have a high statistical  
3 incidence of debt bondage or forced labor or services. The  
4 programs shall train participants to recognize and report  
5 incidents of human trafficking and to suppress the demand that  
6 fosters exploitation of persons and leads to human trafficking.

7 Sec. 5. Section 915.94, Code 2015, is amended to read as  
8 follows:

9 **915.94 Victim compensation fund.**

10 A victim compensation fund is established as a separate  
11 fund in the state treasury. Moneys deposited in the fund  
12 shall be administered by the department and dedicated to and  
13 used for the purposes of section 915.41 and this subchapter.  
14 In addition, the department may use moneys from the fund  
15 for the purpose of the department's prosecutor-based victim  
16 service coordination, including the duties defined in sections  
17 910.3 and 910.6 and this chapter, and for the award of funds  
18 to programs that provide services and support to victims of  
19 domestic abuse or sexual assault as provided in chapter 236,  
20 to victims under section 710A.2, and for the support of an  
21 automated victim notification system established in section  
22 915.10A. ~~The~~ For each fiscal year, the department may also  
23 use up to ~~one~~ three hundred thousand dollars from the fund  
24 to provide training for victim service providers, to provide  
25 training for related professionals concerning victim service  
26 programming, and to provide training to law enforcement  
27 officers concerning homicide, domestic assault, sexual assault,  
28 stalking, harassment, and human trafficking as required by  
29 section 80B.11. Notwithstanding section 8.33, any balance in  
30 the fund on June 30 of any fiscal year shall not revert to the  
31 general fund of the state.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with  
34 the explanation's substance by the members of the general assembly.

35 This bill relates to human trafficking and includes a

1 penalty provision.

2 HUMAN TRAFFICKING TRAINING. The bill requires law  
3 enforcement officers to complete four hours of in-service  
4 training every five years related to domestic assault,  
5 sexual assault, human trafficking, stalking, and harassment.  
6 The in-service training must be approved by the Iowa law  
7 enforcement academy in consultation with the Iowa coalition  
8 against sexual assault and the Iowa coalition against domestic  
9 violence.

10 The bill directs the crime victim assistance division of the  
11 department of justice, in cooperation with other governmental  
12 agencies and nongovernmental or community organizations, to  
13 develop and conduct outreach, public awareness, and training  
14 programs related to human trafficking. The programs are for  
15 the general public, law enforcement agencies, first responders,  
16 potential victims, and persons conducting or regularly dealing  
17 with businesses that have a high statistical incidence of  
18 debt bondage or forced labor or services, and are intended  
19 to train participants to recognize and report incidents of  
20 human trafficking and to suppress the demand that fosters  
21 exploitation of persons and leads to human trafficking.

22 Under current law, the department of justice may use up to  
23 \$100,000 from the victim compensation fund to provide training  
24 to victim service providers. The bill provides that the  
25 department of justice may use up to \$300,000 each fiscal year  
26 to provide training programs to victim service providers, to  
27 provide training to related professionals concerning victim  
28 service programming, and to provide training concerning  
29 homicide, domestic assault, sexual assault, stalking,  
30 harassment, and human trafficking.

31 HUMAN TRAFFICKING DATA COLLECTION. The bill requires the  
32 division of criminal and juvenile justice planning of the  
33 department of human rights to collect and maintain criminal  
34 history data on incidents related to human trafficking, and to  
35 submit an annual report to the general assembly concerning the

1 collected data. The bill defines "incidents related to human  
2 trafficking" to mean criminal violations of Code section 710.5  
3 (child stealing), 710.11 (purchase or sale of individual),  
4 710A.2 (human trafficking), 725.1(2) (prostitution), 725.2  
5 (pimping), 725.3 (pandering), or violations of Code section  
6 710.2 (kidnapping in the first degree), 710.3 (kidnapping in  
7 the second degree), or 710.4 (kidnapping in the third degree)  
8 if the victim was forced to provide labor or services or  
9 participate in commercial sexual activity.

10 DEFINING HUMAN TRAFFICKING AS A FORCIBLE FELONY. The bill  
11 amends the definition of "forcible felony" to include human  
12 trafficking. "Human trafficking" means participating in a  
13 venture to recruit, harbor, transport, supply provisions, or  
14 obtain a person for either forced labor or service that results  
15 in involuntary servitude, peonage, debt bondage, or slavery, or  
16 for commercial sexual activity through the use of force, fraud,  
17 or coercion, except that if the trafficked person is under the  
18 age of 18, the commercial sexual activity need not involve  
19 force, fraud, or coercion. As an offense that is a forcible  
20 felony, a person convicted of human trafficking would not be  
21 eligible for a suspended or deferred sentence, or a deferred  
22 judgment.